

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EMMA MANNING,

Plaintiff,

v.

TACOMA PUBLIC SCHOOLS, ET AL.,

Defendants.

Case No. C06-5078 RBL

ORDER GRANTING PLAINTIFF'S
MOTION FOR EXTENDING
DISCOVERY CUT OFF

Pending before the Court is Plaintiff's Motion for Extending Discovery Cut Off, Dkt. No. 31. This Court's Minute Order, Dkt. No. 25, set May 21, 2007 as the date on which discovery was to be completed. Thus, to ensure that Defendants had thirty days to respond, Plaintiff was required to serve all discovery requests no later than April 20, 2007. Because of an unintentional error made by Plaintiff's attorney, however, Defendants were not served with Plaintiff's First Set of Interrogatories and Requests for Production until four days later, April 24, 2007. Defendants refused to agree to an extension, but did not object to answering and responding to Plaintiff's discovery requests. On May 21, 2007, the day by which discovery was to be completed, Defendants had not answered or responded, and Plaintiff moved to request an extension of the discovery cut off date to allow Defendants time to do so.

While the Court does not condone waiting until the last possible minute to conduct discovery, the Court also prefers that, whenever possible, cases be decided on their merits rather than on procedural technicalities. The Court grants Plaintiff's Motion, Dkt. No. 31, and extends the discovery cut off date to June

1 15, 2007, for the limited purpose of allowing Defendants time to respond to Plaintiff's First Set of
2 Interrogatories and Requests for Production. All other deadlines set out in the Minute Order, Dkt. No. 25, are
3 unchanged.

4 DATED this 5th day of June, 2007.

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8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
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